REMARKS

Claims 9-11 are all the claims pending in the application. By this Amendment, Applicant amends claim 9 to further clarify the invention and cancels claims 10 and 11 without prejudice or disclaimer.

The Examiner withdrew the previous grounds of rejection. The Examiner, however, found new grounds for rejecting the claims. Specifically, claims 9-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over a newly found reference, U.S. Patent No. 6,219,156 to Yoshida et al. (hereinafter "Yoshida") in view of JP 10-079843 to Takahito (hereinafter "Takahito"). Applicant respectfully traverses these grounds of rejection at least in view of the following exemplary comments.

Independent claim 9 recites *inter alia* "determining whether or not the whole output image data can be stored in the memory area by estimating the whole output image data size, according to size of the area determined in the area determination, print resolution, number of bits per pixel, and number of colors." Applicant respectfully submits that the prior art of record does not disclose or suggest the above-quoted unique features of claim 9.

Yoshida relates to an image data processing device that has a memory for temporarily storing the digital image data where the image data already stored in the input image memory is read in parallel with storing of the new image data every time the specified quantity of image data is stored in the input image memory (*see* Abstract). Yoshida discloses that the original size detecting portion scans the image data on the input image memory to determine these regions. For actually determining the effective area, information about lateral and longitudinal lengths of

the original is required. Therefore, in Yoshida, the processing is performed to detect longitudinal and lateral boundary lines A and B between the regions X and Y (col. 13, lines 22 to 33).

Yoshida, however, discloses performing area determination <u>for reading data from the original</u>. Yoshida does not disclose or suggest determining whether or not "the output image data [*i.e.*, the image data for output] successively generated due to a reading operation" can be stored in the memory area according to the area determination. That is, in Yoshida, the size of the original image is determined and <u>not</u> the size or area of the image <u>for output generated from the reading operation</u>.

In addition, as acknowledged by the Examiner (*see* page 3 of the Office Action), Yoshida does not disclose or suggest determining whether or not the whole output image data can be stored in the memory area by estimating the whole output image data size, according to the size of the area determined in the area determination, print resolution, number of bits per pixel, and number of colors, as set forth in claim 9. Takahito does not cure the above-identified deficiencies of Yoshida.

Takahito discloses when judged that there is much capacity of an image memory on the occasion of two or more copy for several minutes, processing by a high resolution processing means is chosen and reading processing of the manuscript picture and image processing division is performed once with a high resolution. By using the image data stored in the image memory, the printing output for two or more copy minutes of several will be performed continuously. On the other hand, in Takahito, when judged that there is little capacity of an image memory on the occasion of two or more copy for several minutes, processing by a low resolution processing means is chosen and reading processing of the manuscript picture and image processing division is performed once with a low resolution (¶¶ 10 and 27).

Takahito, however, only discloses judging if image memory is sufficient for high resolution processing means. Takahito does not disclose or suggest determining whether or not the whole output image data can be stored in the memory area. Takahito only discloses determining whether memory capacity is sufficient for high resolution processing. Furthermore, Takahito discloses estimating memory capacity and does not disclose or suggest determining if the whole output image data can by stored according to the print resolution, number of bits per pixel, and number of colors. In short, Takahito does not disclose or suggest determining whether or not the whole output image data can be stored in the memory area by estimating the whole output image data size, according to size of the area determined in the area determination, print resolution, number of bits per pixel, and number of colors, as set forth in claim 9.

For at least these exemplary reasons, claim 9 is patentable over Yoshida in view of Takahito. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection of claim 9.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

                                                    Respectfully submitted,

SUGHRUE MION, PLLC   Nataliya Dvorson
Telephone: (202) 293-7060   Registration No. 66,616
Facsimile: (202) 293-7860
          WASHINGTON OFFICE
          23373
          CUSTOMER NUMBER

Date: November 11, 2008